

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

UNITED STATES OF AMERICA        )  
  )  
                  v.                    )       1:11-cr-00003-JAW  
  )  
ROBERT GOGUEN                    )

**ORDER OVERRULING OBJECTION TO MAGISTRATE JUDGE’S ORDER**

On February 21, 2018, Robert Goguen moved this Court to pay certain expenses that he has incurred in proceeding with his various legal matters. *Def.’s Mot. for Funds* (ECF No. 209). The expenses include cost of mailings, copying expenses, and bills for telephone calls. *Id.* On February 23, 2018, the Magistrate Judge denied his motion. *Order* (ECF No. 211). On March 20, 2018, Mr. Goguen objected to the Magistrate Judge’s Order. *Def.’s Objection to Order Denying Mot. for Funds* (ECF No. 219).

The standard by which this Court reviews the Magistrate Judge’s Order is whether the order is “contrary to law or clearly erroneous.” FED. R. CRIM. P. 59(A); FED. R. CIV. P. 72 (a); 28 U.S.C. § 636(b)(1)(A). The Magistrate Judge’s February 23, 2018 order is neither contrary to law nor clearly erroneous.

Mr. Goguen’s motion is premised on an understandable misconception: that the Court has the legal authority to pay his legal expenses. The Court’s authority is constrained by Congress and, although he stresses his need for the funds, he provides no legal basis for the Court to order payment. Instead, Mr. Goguen’s request is an equitable one; he seeks the funds because he needs the money and he emphasizes

that it “is not an unfair request.” *Def.’s Objection* at 1. But Mr. Goguen cites no legal authority that would allow the Court to grant his request and the Court is aware of none.

To be clear, the Court does not doubt that Mr. Goguen, like many incarcerated persons, finds it difficult to gain access to funds to pay for legal costs. However, Congress has simply not authorized the Court to require itself or to require the Government generally to pay these expenses. As such, the Court must overrule Mr. Goguen’s objection and affirm the Magistrate Judge’s order.

The Court **OVERRULES** Defendant’s Objection to Order Denying Motion for Funds (ECF No. 219) and it **AFFIRMS** the Magistrate Judge’s Order (ECF No. 211).

**SO ORDERED.**

/s/ John A. Woodcock, Jr.  
**JOHN A. WOODCOCK, JR.**  
**UNITED STATES DISTRICT JUDGE**

Dated this 4th day of April, 2018